

COMMONWEALTH OF MASSACHUSETTS

U.S. DISTRICT COURT OF MASSACHUSETTS

CIVIL ACTION NO.

05-10969-NMG

NATIONAL ELECTRIC BENEFIT FUND by its Trustees)
JON F. WALTERS & D.R. BORDEN, JR.)
(Plaintiff))

v.)

TRUSTEE'S ANSWER

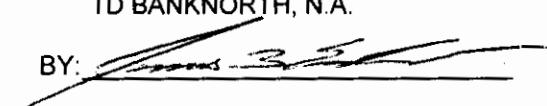
UPPER CAPE ELECTRICAL, INC.)
(Defendant))

TD BANKNORTH, N.A)
(Trustee Defendant))

Now comes TD Banknorth, N.A., by and through its keeper of the books and records, and says: At the time of service of the Summons, the alleged Trustee had goods, effects, or credits of the named Defendant available for attachment in the amounts of \$191.66 and \$1,597.55 standing in the name of Upper Cape Electrical, Inc. with respect to which the Bank wishes to submit to the court, pursuant to M.G. L. c. 246 14, the question whether the Bank is chargeable as trustee upon such facts.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 14th DAY OF SEPTEMBER 2005.

TD BANKNORTH, N.A.

BY: 

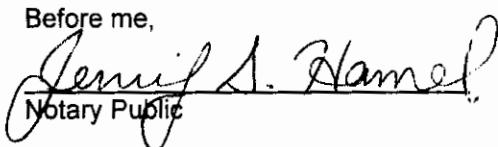
James B. Everhart
Legal Assistant
Legal Department
TD Banknorth, N.A.

STATE OF MAINE
CUMBERLAND, SS.

September 14, 2005

Personally appeared the above-named James B. Everhart, who acknowledged that the foregoing Disclosure was true to the best of his knowledge and belief.

Before me,


Notary Public

JENNIFER S. HAMEL
Notary Public, Maine
My Commission Expires August 12, 2012